

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

TRUSTEES OF THE HOMEPORT UNITY)
OWNERS TRUST,) Case No. 1:23-cv-11976
)
Plaintiffs,)
)
v.)
)
TIAGO RASSILAN,)
COMMONWEALTH OF MASSACHUSETTS,)
and UNITED STATES OF AMERICA,)
)
Defendants/Parties-In-Interest.)

)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441, 1442, 1444, and 1446, the defendant United States of America hereby removes this action from the Barnstable County Superior Court to the United States District Court for the District of Massachusetts, Eastern Division.

The case comes within § 1441 to the extent that this civil case presents a federal question.

The case comes within § 1442(a)(1) because it is a civil action that was commenced in a state court and that is against the United States or any agency thereof.

The case also comes within § 1444 because it is an action brought under 28 U.S.C. § 2410 against the United States in State court. See § 2410(a)(2) (waiving sovereign immunity to sue the United States in foreclosure actions).

Without conceding that the United States has been properly served, in accordance with § 1446(a), copies of all process, pleadings, and orders received by the United States in this action, as of the date of this Notice of Removal, are attached herein as Exhibit A.

This Notice of Removal is timely under § 1446(b).

The United States will provide the Superior Court and all other parties with prompt written notice of the filing of this Notice of Removal, as required by § 1446(d).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August 2023, I caused the foregoing Notice of Removal to be served by first class mail and/or e-mail to the following parties:

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